

Approved June 18, 1999.

Effective September 1, 1999.

CHAPTER 719

H.B. No. 937

AN ACT

relating to the operation of certain food programs administered by the Texas Department of Human Services.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 33.024, Human Resources Code, is amended by adding Subsections (k)–(m) to read as follows:

(k) The department shall develop and implement an outreach program to increase participation in the summer program if funds are appropriated or otherwise made available for that purpose. The department shall design the outreach program to:

- (1) increase participation of children from low-income families;*
- (2) increase the number of summer programs offered across this state, with particular emphasis on increasing programs in needy communities;*
- (3) encourage school districts and public and private nonprofit agencies to form partnerships to develop summer programs that combine educational activities, such as reading enrichment, with the provision of meals; and*
- (4) promote any other goal established by the department relating to increased participation in the summer program.*

(l) The outreach program required by Subsection (k) must target communities and schools that have the highest percentage of eligible children and include:

- (1) presentations to public schools, public entities, and private nonprofit agencies that would be eligible to participate in the summer program;*
- (2) dissemination of information regarding eligibility requirements and application procedures;*
- (3) continual support and technical assistance to existing programs to increase participation levels and to ensure that the programs continue to operate; and*
- (4) public service announcements that publicize the summer program and that appear on local television and radio stations.*

(m) The department shall administer a grant program designed to encourage eligible organizations to serve as local sponsors or meal preparation sites for the summer program by awarding a financial supplement for each meal served from funds appropriated or otherwise made available for that purpose.

SECTION 2. Chapter 33, Human Resources Code, is amended by adding Section 33.026 to read as follows:

Sec. 33.026. CHILD AND ADULT CARE FOOD PROGRAM: REQUIRED NOTICES AND ADVISORY COMMITTEE AUTHORITY. (a) Before adopting or changing a department rule or policy relating to the federal Child and Adult Care Food Program, the department shall submit the proposed action to the department's advisory committee on that program for comment, unless immediate action is required by federal law. If immediate action is required by federal law, the department shall submit the action for comment at the earliest possible date.

(b) The department shall provide written notice to each sponsoring organization of any modification or clarification of department rules or policies relating to the federal Child and Adult Care Food Program. Notice provided through electronic mail is considered to be written notice for purposes of this subsection.

(c) *The department's advisory committee on the federal Child and Adult Care Food Program may:*

- (1) *conduct public hearings in accordance with department procedures;*
- (2) *refer issues relating to the program to the board for discussion; and*
- (3) *recommend modifications to the department's training programs for sponsoring organizations and other persons participating in the program.*

SECTION 3. Chapter 33, Human Resources Code, is amended by adding Section 33.027 to read as follows:

Sec. 33.027. CHILD AND ADULT CARE FOOD PROGRAM: ELECTRONIC FILING.

(a) *In administering the federal Child and Adult Care Food Program, the department shall, unless prohibited by federal law, permit a sponsoring organization or other person participating in the program to submit applications and other required information to the department in an electronic format or through the use of electronically produced forms.*

(b) *The department may implement Subsection (a) by developing necessary computer systems or by using computer systems developed or made available for that purpose by a sponsoring organization or other appropriate person.*

SECTION 4. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 1999.

(b) Section 3 of this Act takes effect January 1, 2001.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 11, 1999, by a non-record vote; passed by the Senate on May 24, 1999, by a viva-voce vote.

Approved June 18, 1999.

Effective September 1, 1999, except as provided in § 4(b).

CHAPTER 720

H.B. No. 947

AN ACT

relating to the criminal penalty for a violation of law relating to the regulation of fireworks.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 19, Article 5.43-4, Insurance Code, is amended to read as follows:

Sec. 19. PENALTIES. (a) A person commits an offense if the person knowingly or intentionally violates Section 17 of this article.

(b) ~~[An offense under this section is a Class B misdemeanor.~~

~~[(e)]~~ Each day that a violation occurs or continues constitutes a separate offense.

(c) ~~[(d)]~~ Venue under this section is in the county in which the offense is committed or in Travis County.

(d) ~~[(e)]~~ If the commissioner determines that a violation of this article creates a threat to the public safety, the commissioner may bring suit in the district court of the county in which the person who committed the offense resides or has an office to enjoin the person from engaging in the prohibited activity. The commissioner is not required to give bond as a condition to the issuance of injunctive relief.

(e) ~~[(f)]~~ The state fire marshal, a fire chief, a fire marshal, their deputies, or a police or peace officer may seize illegal fireworks as defined by this article. Fireworks seized in the enforcement of this article shall be kept in the custody of the seizing agent or the sheriff of the county in which the fireworks were seized. The owner of the seized fireworks may file an